

# RETIRING MEMBER'S GUIDEBOOK

(REVISED AUGUST 2001)





Indiana State Teachers' Retirement Fund

## **TABLE OF CONTENTS**

| Foreword   | 3   |
|--|-----|
| Mission and Core Values  | 4   |
| Retirement Benefits  | 4   |
| General Description of Benefits                                      |     |
| Accrual Date   |     |
| Pensions and Social Security   |     |
| Retirement Eligibility   | 5   |
| Normal Retirement Eligibility  |     |
| Early Retirement Eligibility   |     |
| When Should A Member Apply For Benefits                              | 6   |
| How Benefits May Be Received   | 6   |
| The Annuity Savings Account Alternatives                             |     |
| Alternative I  |     |
| Alternative II-A   |     |
| Alternative II-B   |     |
| Alternative II-C   |     |
| Alternative III  |     |
| Alternative IV-A   |     |
| Alternative IV-B   |     |
| The Pension Benefit Options  Regular Form of Retirement (Option A-1) |     |
| Straight Life Without a Guaranteed Period (Option A-2)               |     |
| Modified Cash Refund Annuity (Option A-3)                            |     |
| 100% Survivorship (Option B-1)                                       |     |
| 66 2/3% Survivorship (Option B-2) 50% Survivorship (Option B-3)      |     |
| Social Security Integration (Option A-4)                             |     |
| Calculating Benefits   | 8   |
| Factors  | •   |
| Two Benefit Examples   |     |
| Benefit Estimates  | 10  |
| Estimates from the TRF Office  |     |
| Estimates from the Internet  |     |
| Calculator of Retirement Benefits Form                               |     |
| Reemployment after Retirement  | 11  |
| Miscellaneous Benefit Information                                    | 11  |
| Who May Act for the Member   | 12  |
| Power of Attorney  |     |
| Guardians  |     |
| Trusts Sattling Disputos   | 4.4 |
| Settling Disputes  Marriago Disputions                               | 14  |
| Marriage Dissolutions Health Insurance                               | 14  |
| Other Fund Services  | 14  |
|  |     |

## **Foreword**

Retirement funding for teachers was initially provided on a local basis by the Acts of 1915, Chapter 182. In 1921, the Indiana General Assembly created the Indiana State Teachers' Retirement Fund (Fund). Since its establishment, the laws governing the administration of the Fund have changed and expanded to respond to the needs of our members.

This guidebook for retiring members of the Fund is designed to provide a better understanding of the information needed to make retirement decisions. While this guidebook gives a broad overview of the Fund's options, retiring members with more complex questions should contact the Fund at:

Indiana State Teachers' Retirement Fund 150 West Market Street, Suite 300 Indianapolis, IN 46204-2809

Telephone: (317) 232-3860 / Toll-Free (888) 286-3544 FAX (317) 232-3882 TTY/TDD (317) 233-3306 E-mail: trf@state.in.us

Internet Home Page: http://www.in.gov/trf/

Information in this guidebook for members is based on the laws and resolutions governing the Fund, including amendments adopted by the 2000-2001 Indiana General Assembly. The Fund is governed by the Indiana Code, sections 5-10.2 and 21-6.1, Title 550 of the Indiana Administrative Code, and specific resolutions adopted by the Fund's Board of Trustees. If any differences exist between the governing laws and resolutions of the Fund and information found in this handbook, the laws and resolutions shall govern the resolution of the discrepancy.

The Fund is overseen by a five-member Board of Trustees (Board) appointed by the Governor. Two of the Trustees must be Indiana educators eligible to be members of the Fund. A Director appointed by the Governor carries out the policies set by the Board and administers the Fund on a daily basis. Pursuant to Indiana law, the Director is also required to be a member of the Fund.

Although the Board establishes investment policies, Indiana law places restrictions on the investment of the Fund's assets. At all times, the Fund must invest its assets in accordance with the "Prudent Investor" standard. Under this standard, investment decisions are based upon the same degree of care that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a similar character with similar aims.

## Mission and Core Values

In its July 2000 meeting, the Board adopted a new mission statement and core values for the Fund. Our mission is...

"To prudently manage the Fund in accordance with fiduciary standards, provide quality benefits, and deliver a high level of service to our members, while demonstrating responsibility to the citizens of the State."

In striving to achieve this mission, the Fund has pledged to uphold the following eight core values:

- Professionalism, respect and compassion in dealing with others;
- 2. Diversity, both of ideas and people;
- 3. Open communication, collaboration, and cooperation;
- 4. Integrity and the avoidance of conflicts of interest;
- 5. Courtesy and timeliness;
- 6. Accountability;
- 7. Innovation and flexibility;
- 8. Commitment to and focus on our mission.

## **Retirement Benefits**

#### **General Description of Benefits**

A member's retirement benefit may be made up of two parts:

- A monthly pension provided by the State, and
- An annuity based on that member's Annuity Savings Account (contributions plus earnings)

The State's pension portion is determined by salary history, years of service, age and the retirement option(s) selected. The annuity portion depends on the value of a member's Annuity Savings Account at the time of retirement, age, payment alternative, and option selected. Anyone with further questions about this formula should consult the "Calculator for Retirement Benefits Form" on our Internet Home Page.

#### **Accrual Date**

The Accrual Date (also called the Retirement Date) is the effective date a member's retirement benefits commence. This date can be no earlier than the member's last day of service with his/her employer. The member may choose a later date, but retroactive payments cannot exceed a maximum of six months.

#### Pensions and Social Security

Starting July, 1, 2001, retired members who are under the normal retirement age and reemployed in a "covered" position will have a fixed earnings limitation of \$25,000 calculated on a <u>fiscal year</u> for Teachers' Retirement Fund employees and calculated on a <u>calendar year</u> for Public Employees' Retirement Fund employees. A "covered" position is one that is covered by either the Teachers' Retirement Fund or the Public Employees Retirement Fund.

Retired members who are already reemployed will not be "grandfathered" in under the older provision. In addition, all retiring members must wait at least ninety (90) days after their date of retirement before returning to service in a covered position to receive a pension benefit.

If a retired TRF member under the normal retirement age earns more than \$25,000 in a fiscal year, their retirement benefit from TRF will be stopped for the remainder of the fiscal year. [The benefit will resume at the beginning of the next fiscal year and continue until the \$25,000 earnings test is met for the fiscal year.]

Retired members who are reemployed in a covered position may earn a second retirement benefit for their service during reemployment. This benefit will be added to the original retirement benefit at the time of re-retirement.

The \$25,000 earnings test does not apply to retired members who are under the normal retirement age or older, or to a retired member who is reemployed by the Indiana Department of Education.

The employer's mandatory contributions are to be made throughout the entire period of reemployment regardless of whether or not the employee's retirement benefit has been suspended. The mandatory 3% employee contribution is only required to be made during the period that the employee's retirement benefit has been suspended.

## Retirement Eligibility

#### Normal Retirement Eligibility

A member may become eligible for normal (unreduced) retirement:

At age 65 with at least 10 years of creditable service At age 60 with at least 15 years of creditable service At ages 55 to 59 if age and creditable service total at least 85 (This scenario is referred to as the "Rule of 85")

#### Early Retirement Eligibility

Early retirement is available at ages 50 to 59 with 15 or more years of creditable service. However, in this case, the retirement benefit will be reduced because payments begin at an earlier point in a member's life and will need to cover a longer period. For more detailed information on early retirement benefit calculations, please consult the "Calculator of Retirement Benefits Form," which is available on our Internet Home Page.

## When Should A Member Apply for Benefits

#### On or Before the Time a Member Leaves Active Service

A member should **consider** retirement benefits about two years prior to their anticipated retirement date. Pension Administrators are available, by appointment, to discuss retirement with members. Members should **start** the <u>application process</u> six months prior to their anticipated retirement date. The actual "Application for Retirement Benefits," related forms, and other documents are available from the Fund. It is the member's responsibility to contact the Fund prior to eligibility. If the forms are received after the eligibility date, retroactive benefits will not be paid unless the retiree attaches a letter requesting this action. Pursuant to Indiana law, a maximum of six months retroactivity is allowed.

# When a Member Leaves Service After Becoming Vested and Plans to Retire at a Later Date

Members are advised to gather all pertinent retirement information at the time they leave service. In all instances, an "Application for Retirement Benefits – Part 2" should be completed by the member's employer at that time. Section One is to be completed by the member and then forwarded to the employing unit for completion. The information required from the employing unit is more readily available at the time a member leaves service than at a future date. Again, although a member may choose to defer retirement to a date well beyond the eligibility date, the member will only be allowed *six months of retroactive benefits* measured from the date the application is received in the TRF office.

## **How Benefits May Be Received**

### The Annuity Savings Account Alternatives

When members retire, they must select one of the seven alternatives described below for the distribution of their annuity savings account proceeds.

| Alternative I    | Under this alternative, a member will receive the total amount of his/her Annuity Savings Account paid as a monthly benefit. The member will not receive any distribution from his/her Annuity Savings Account other than this monthly benefit.  |
|------------------|--|
| Alternative II-A | Under this alternative, a member will have the total amount of his/her Annuity Savings Account, less the mandatory withholding for federal income tax, paid directly to him.   |
| Alternative II-B | Under this alternative, a member will have all of the taxable portion of his/her Annuity Savings Account paid in the form of a direct rollover to an Individual Retirement Account or a Qualified Retirement Plan that has provisions allowing it to accept the rollover on his/her behalf. The non-taxable portion will be paid directly to the member.   |
| Alternative II-C | This alternative may be selected only if the member wants a partial rollover amount of at least \$500. Under this alternative, a member will have a part of the taxable portion of his/her Annuity Savings Account paid in the form of a direct rollover to an Individual Retirement Account or a Qualified Retirement Plan that has provisions allowing it to accept the rollover. The non-taxable portion will be paid directly to the member. Also, the "part" of the taxable portion of the distribution that is not directly rolled over, less the mandatory withholding for federal income tax, will be paid directly to the member. |
| Alternative III  | Under this alternative, a member will receive a distribution of an amount equal to his/her tax basis (after-tax contribution) in his/her Annuity Savings Account balance as it existed on December 31, 1986 and will receive the balance of the account as a monthly benefit.  |
| Alternative IV-A |  |

|                  | Under this alternative, a member will defer distribution of his/her Annuity Savings Account until a later date. The member's account will continue to be invested with the Fund under the same guidelines applicable to an Annuity Savings Account. |
|------------------|---|
| Alternative IV-B | Under this alternative, a member may elect to withdraw their non-<br>taxable contributions and leave their taxable contributions invested in<br>the retirement fund for distribution at a later time.   |

## **The Pension Benefit Options**

When members retire, they must select one of the six alternatives described below for the distribution of the pension portion of their retirement benefit. Members may also choose to select the "Social Security Integration" option with any of the six listed options.

| Regular Form of Retirement (Option A-1)                      | Under this option, a member will receive a monthly benefit for life. If the member dies before receiving benefits for five years, his/her designated beneficiary will receive either his/her monthly benefit for the remainder of those five years or the present value of those remaining payments in a lump sum.   |
|--|--|
| Straight Life Without<br>A Guaranteed Period<br>(Option A-2) | Under this option, a member will receive a monthly benefit for life, but there are no payments due to anyone after the member's death.   |
| Modified Cash Refund<br>Annuity (Option A-3)                 | This option is not available for those members who elect Alternative II or IV with respect to their individual Annuity Savings Accounts. Under this option, a member will receive a monthly benefit for life. This benefit will be based on the member's age, salary, and service (employer pension amount) and the amount of money in the member's Annuity Savings Account. If the member dies before receiving benefits for five years, his/her beneficiary will receive either a monthly benefit (the employer pension amount only) for the remainder of those five years, or the present value of those remaining payments in a lump sum. Also upon the member's death (whether the member dies before or after receiving five years of benefits), the designated beneficiary will receive a single payment of the amount remaining in the member's Annuity Savings Account. Please note that the Annuity Savings Account balance is reduced with each monthly benefit paid. Thus, if the member dies after the account has been reduced to zero, there will be no Annuity Savings Account distribution to the designated beneficiary. |
| 100% Survivorship<br>(Option B-1)                            | Under this option, a member will be paid a monthly benefit for life. After the member's death, the same monthly benefit will be paid to the member's co-survivor for their life.   |
| 66 2/3% Survivorship<br>(Option B-2)                         | Under this option, a member will be paid a monthly benefit for life. After the member's death, a monthly benefit in the amount of two-thirds of the member's benefit will be paid to the member's co-survivor for their life.  |
| 50% Survivorship<br>(Option B-3)                             | Under this option, a member will be paid a monthly benefit for life. After the member's death, a monthly benefit in the amount of one-half of the member's benefit will be paid to the member's co-survivor for their life.  |
| Social Security<br>Integration<br>(Option A-4)               | Members retiring between the ages of 50 and 62 may integrate their Fund benefit with their Social Security benefit. The Fund pays a larger monthly benefit before age 62. However, at age 62, the Fund's benefit will be greatly reduced or terminated depending on the member's estimated monthly benefit at age 62 from Social Security.   |

## **Calculating Benefits**

The State-provided pension portion is determined by the following formula:

Average Annual Compensation X 1.1% [0.011] X Years of Service

A member retiring early receives a percentage of the State's pension portion, according to the following chart:

| Age | Percent of Benefit | Age | Percent of Benefit |
|-----|--------------------|-----|--------------------|
| 59  | 89%                | 54  | 64%                |
| 58  | 84%                | 53  | 59%                |
| 57  | 79%                | 52  | 54%                |
| 56  | 74%                | 51  | 49%                |
| 55  | 69%                | 50  | 44%                |

#### Factors

The amount of retirement benefit is based on several factors:

- □ Average Annual Compensation: The average of the five highest years of annual compensation earned during a member's career plus a maximum of \$2,000 of any amount received in contemplation of retirement.
- □ **Benefit Multiplier**: This figure is established by law (currently 1.1%)
- □ Years of Service: Number of creditable years served by a member
- □ **Member's Age at Retirement**: Early retirement will cause a reduction in the State pension portion (see above)
- □ Retirement Option Selected
- Annuity Savings Account balance

## Two Benefit Examples

[See table following examples for an explanation of the annuity adjustment factors]



#### State-provided Portion:

No reduction for early retirement = 60 years of age with at least 15 years of service

\$36,000 X 1.1% X 35 = \$13,860



#### **Annuity Savings Account:**

Used by member to purchase an annuity → recovered over the life expectancy of the member

\$46,000 X 9.17% = \$4,218.20



Total Annual Retirement Benefit for Example One:

Calculated using Alternative I and the A-1 Option

\$ 13,860 + \$ 4,218.20 = \$ 18,078.20

#### **EXAMPLE TWO**

Age 50
Creditable Service = 30 Years

Average Annual Compensation = \$ 34,000 Annuity Savings Account balance = \$ 40,000

#### State-provided Portion:

Reduction for early retirement = 50 years of age results in reduced benefit of 44%

 $$34,000 \times 1.1\% \times 30 = $11,220 \times .44 = $4,936.80$ 

#### **Annuity Savings Account:**

Used by member to purchase an annuity → recovered over the life expectancy of the member

\$40,000 X 8.25% = \$3,300.00

Total Annual Retirement Benefit for Example Two:

Calculated using Alternative I and the A-1 Option

\$4,936.80 + \$3,300.00 = \$8,236.80

Exact annuity adjustment factors depend on age at retirement and are determined by the Fund's actuaries. The current annuity adjustment factors are as follows:

| Age | Factor | Age | Factor | Age | Factor |
|-----|--------|-----|--------|-----|--------|
| 50  | .0825  | 57  | .0883  | 64  | .0974  |
| 51  | .0832  | 58  | .0893  | 65  | .0992  |
| 52  | .0839  | 59  | .0905  | 66  | .1010  |
| 53  | .0847  | 60  | .0917  | 67  | .1030  |
| 54  | .0855  | 61  | .0929  | 68  | .1051  |
| 55  | .0864  | 62  | .0943  | 69  | .1073  |
|     | 0070   | 0.0 | 0050   | 70  | 4007   |

## **Benefit Estimates**

#### Estimates from the Fund's Office

Estimates of retirement benefits are available from the Fund's office. Estimates can be performed for members as early as two years prior to their planned retirement date. To obtain an estimate of retirement benefits, a member must obtain an estimate form from his/her employer, the Internet, or simply provide the Fund with the following information by mail:

- Five highest contract salaries OR if the member provides the most current fiscal year earnings, the Fund can use information reported to the Fund by the member's employer for the four other years
- Expected retirement date
- Total years of service
- The birth date of the co-survivor (if applicable)
- Estimate from the Social Security Administration (if the member is considering the A-4 Option)

The Fund will return an estimate of benefits. The estimate will include projected benefit payments under the different payment options. Since projections into the distant future are highly speculative, the Fund can provide computerized estimates no more than two years into the future.

#### Estimates from the Internet

Members and the public may visit the Fund's Home Page on the Internet at:

## http://www.in.gov/trf

At this location, members will find the following helpful information concerning estimates:

- Calculator for Retirement Benefits Form: By following the directions on this form, a member may estimate future retirement benefits to a rough amount.
- Calculate Your Retirement Benefits: This interactive feature allows members to input various
  pieces of known data to receive an estimate of future benefits. This estimate includes future
  estimated monthly A-1 State pension benefits and future estimated monthly annuity payments.

#### <u>Calculator of Retirement Benefits Form</u>

Members may estimate their own future retirement benefits by obtaining a "Calculator of Retirement Benefits Form" from their employer's business office, the Internet, or the Fund's office.

#### Reemployment after Retirement

Starting July, 1, 2001, retired members who are under the normal retirement age and reemployed in a "covered" position will have a fixed earnings limitation of \$25,000 calculated on a <u>fiscal year</u> for Teachers' Retirement Fund employees and calculated on a <u>calendar year</u> for Public Employees' Retirement Fund employees. A "covered" position is one that is covered by either the Teachers' Retirement Fund or the Public Employees Retirement Fund.

Retired members who are already reemployed will not be "grandfathered" in under the older provision. In addition, all retiring members must wait at least ninety (90) days after their date of retirement before returning to service in a covered position to receive a pension benefit.

If a retired TRF member under the normal retirement age earns more than \$25,000 in a fiscal year, their retirement benefit from TRF will be stopped for the remainder of the fiscal year. [The benefit will resume at the beginning of the next fiscal year and continue until the \$25,000 earnings test is met for the fiscal year.]

Retired members who are reemployed in a covered position may earn a second retirement benefit for their service during reemployment. This benefit will be added to the original retirement benefit at the time of re-retirement.

The \$25,000 earnings test does not apply to retired members who are social security normal retirement age or older, or to a retired member who is reemployed by the Indiana Department of Education.

The employer's mandatory contributions are to be made throughout the entire period of reemployment regardless of whether or not the employee's retirement benefit has been suspended. The mandatory 3% employee contribution is only required to be made during the period that the employee's retirement benefit has been suspended.

## Miscellaneous Benefit Information

## Age 70 Benefits

Under Indiana law, members who continue to teach after age 70 are entitled to draw benefits and can continue to teach full-time without any earnings limitation. Contact the Fund if you desire further information.

#### Minimum Amount

For deaths occurring after July 1, 1991 of members receiving or eligible to receive retirement benefits, the law provides a guarantee of a "minimum amount" of payments, which is an amount equal to the entire amount credited to the member's Annuity Savings Account at the time of: (1) retirement; or (2) death while entitled to benefits; minus benefits paid to the member and the member's survivors.

#### Federal Mandatory Withdrawal Rules

An inactive member who reaches age 70  $\frac{1}{2}$  should make arrangements to start receiving benefits from the Fund. By federal law, the member has until April 1 of the calendar year following the year in which he reaches age 70  $\frac{1}{2}$  to commence benefits. The funds must be withdrawn in a lump sum if the member is not vested (has less than 10 years of the type of creditable service that counts toward vesting).

If the member is vested, the member must start receiving monthly benefits distributed over the member's remaining lifetime. This rule does not apply to a member who is still employed in a position covered by the Teachers' Retirement Fund or the Public Employees' Retirement Fund.

## Who May Act for the Member

#### Power of Attorney

The Fund will honor requests and directions from a lawful holder of a Power of Attorney document for a member. This individual is known as the attorney-in-fact. The Power of Attorney must grant the attorney-in-fact the authority to transact business of the type requested. For instance, if the Power of Attorney document grants the attorney-in-fact broad discretion to handle all banking and financial transactions, the Fund will accept directions regarding benefit check delivery. If, on the other hand, a member grants what is known as a Health Care Power of Attorney, the attorney-in-fact does not have the authority to direct the Fund on any matter, even something as simple as an address change.

If a member wishes to name a Power of Attorney for Fund business only without incurring the expense of legal counsel, the Fund provides a Power of Attorney form. However, please note that this Power of Attorney will only apply to Fund business and is not valid for general public use.

If an attorney-in-fact attempts to act on behalf of a member, the Fund will require a copy of the Power of Attorney. If a copy of the Power of Attorney is not in the member's file, the requested transaction will be denied. The denial will then be returned to the attorney-in-fact requesting proof of legal authority to act on behalf of the member.

Please note that Indiana law has very specific requirements for a Power of Attorney to be validated. The member's signature must be witnessed and attested to by a Notary Public. Further, the Notary Public must sign the document along with their printed name and notarial seal.

A member retains the right to act on the member's own behalf even if powers are also granted to an attorney-in-fact.

#### **Guardians**

The Fund will honor requests and directions from a legally appointed guardian of the estate of a member.

Before the Fund can recognize acts of a guardian, the Fund must receive copies of the Letters of Guardianship and/or other official court documents appointing the guardian. Only the guardian of the "estate" of the member, the person with the power to handle financial matters (as opposed to the guardian of the "person," who is responsible for the physical well being of a member), may direct the Fund.

Guardians are only appointed when a member is declared incompetent by a court of law. Thus, the member, while under an active guardianship, is unable to act on the member's own behalf. The Fund will not recognize acts of these members until provided proof that the member's right to act on their own behalf has been restored.

#### **Trusts**

ISTRF can direct deposit to a revocable trust. [IC 5-10.2-4-7(d)] A member can designate a trust as their pension benefit direct deposit financial institution. The payee must be a **revocable trust** and the member must have the ability to access the funds at any time without condition. ISTRF will not direct deposit pension benefits into trusts that do meet these criteria.

In order to process the retirement application or direct deposit application, ISTRF will need the a copy of the trust instrument to ensure compliance with Indiana law or a sworn affidavit identifying the trust and that it complies with the terms set forth in [IC 5-10.2-4-7(d)].

If the terms or conditions or the designated trust payee instrument change, the member must immediately notify ISTRF and provide a copy of the new and amended trust instrument. These rules apply to ISTRF retirement benefits. Payments of ISTRF death benefits to a trust have different rules.

#### Trust as a Death Beneficiary

A member who intends for their death benefit to be paid to a trust must designate the trustee as the beneficiary using the "Request for Member Data Change" form. The designation must be in the following form:

[Name of trustee, Trustee or then trustee of the name of member type of trust] Example: John R. Doe, Trustee or then trustee of the Mary S. Smith Living Trust

- ⇒ The member must notify ISTRF in writing of the mailing address of the trustee, co-trustee or successor trustee.
- ⇒ It is the sole responsibility of the Fund member to notify the ISTRF of any pertinent change involving their trust or trustee.
- ⇒ A copy of the trust instrument is **NOT** needed by ISTRF.
- ⇒ ISTRF's sole responsibility is to pay the death benefit to one trustee named in the Fund member's beneficiary designation. ISTRF will discharge this responsibility according to the information that has been provided to ISTRF by the Fund member. ISTRF is **NOT** responsible for any problem arising from a change involving a trust or a trustee if ISTRF has not been notified to the change.
- ⇒ ISTRF is not responsible for ensuring the validity of the trust or for carrying out the terms of the trust in any way.
- ⇒ ISTRF is not responsible in any way for a trustee's unauthorized exercise of ownership or control over the funds. It is the sole responsibility of the trustee to administer the funds in a manner consistent with the trustee's powers, duties, and fiduciary responsibilities.
- ⇒ Should a named trustee pre-decease the member or withdraw as trustee, a Successor Trustee's Certification must be received by ISTRF before any distribution will be made.
- ⇒ If, upon the death of a member, the named trustee cannot be located, is incapacitated, deceased or refuses to receive the death benefit as trustee of the trust, ISTRF will treat the matter as though the Fund member had designated a non-trustee as the beneficiary and the designated beneficiary has pre-deceased the Fund member. The death benefit will be paid to a secondary beneficiary or to the member's estate.

The Internal Revenue Service assigned EIN Number of the trust should be included for processing. ISTRF cannot make a distribution to a trust without a proper EIN identifying the payee trust.

## **Settling Disputes**

Most disputes are settled by communication between the parties involved. In case no agreement is reached, there is an appeal procedure available. A person who believes that they have been aggrieved by an action of the Fund may contact the Fund's Legal Department for information on the appeals process.

## **Marriage Dissolutions by Fund Members**

#### Qualified Domestic Relations Orders (QDROs)

The Fund is a governmental plan as defined by 29 U.S.C.A. § 1002(32) and is exempt from the provisions of the Employee Retirement Income Security Act (ERISA) pursuant to 29 U.S.C.A. § 1003(b)(1). As such, the Fund does not recognize QDROs. Under Indiana law, the benefits payable from the Fund are protected under Indiana Code, section 21-6.1-5-17. This provision states that the benefits due a member from the Fund are exempt from seizure, levy, attachment, and other processes. Therefore, the Fund cannot make a portion of a member's benefits payable to anyone other than the member. The only exception to this rule would be the Internal Revenue Service.

#### Requests for Information

Often members will contact the Fund to determine the balance of their Annuity Savings Account at various points in their career. The Fund will provide this figure to the best of our ability, but the schedule of reporting salaries has changed over time. To obtain this information, the member may call or write the Fund. However, these figures will be provided to the requesting party only in writing and will not be communicated over the telephone for security purposes.

The Fund receives frequent requests from members to project retirement benefits from a past date forward. The Fund cannot comply with this request because of the large number of subjective variables that must be supplied by the member. However, the Fund will send the requesting party information and forms that will allow the requesting party to project retirement benefits from a past date.

#### **Procedures**

At the request of an estranged spouse or his or her legal representative, the Fund can only release information with the written consent of the member, subpoena or other court order.

#### Who is responsible for these cases?

Although the Fund will "flag" the file and make every effort to notify an ex-spouse when the member receives a monetary distribution, the ultimate responsibility for complying with the terms of the divorce decree and property settlement, lies with the parties to the divorce. An ex-spouse should inquire periodically, in writing, to determine the status on the account. Further, when a distribution is made to a member, the ex-spouse and his or her legal representative are solely responsible for ensuring that any settlements with respect to Fund benefits in a divorce dissolution are fulfilled by the member. With the exception of the Internal Revenue Service, the Fund can make payment of active Fund retirement benefits only to the member.

## **Health Insurance**

Medicare supplement group health insurance is available to the Fund's retirees and spouses age 65 or over. Members, under age 65, receiving disability retirement benefits may be eligible to receive supplemental health insurance. Members will receive information on the available plan, options and costs at the time of retirement.

## **Fund Records**

Fund records of individual members and membership information are confidential, except for the name and years of service of a fund member. Generally, a member's individual record may only be released to the member, personal representative of the member's estate, attorney-in-fact, or by court order.

## **Other Fund Services**

To promote our mission, the Fund retains the services of counselors, accountants, investment advisors, attorneys, and administration personnel who are ready to aid members and the public at all times.

The Fund's staff can help with:

- Status of member accounts
- Direct electronic deposits
- Tax withholding policies
- Taxable and non-taxable portions of benefits
- Service credit analysis
- Interpretation of Indiana law as it applies to the Fund

If a member needs help with any of these topics, the member may:

- Call (317) 232-3860 or toll-free at (888) 286-3544 to contact the Member Service Center
- Visit the Fund in person by making an appointment. The Fund's offices are located on the third floor of the ISTA Building in Indianapolis. The street address is 150 West Market Street (corner of Market Street and Capitol Avenue), east of the State House. The Fund's office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday (except for holidays). Appointments are strongly encouraged to maximize efficiency of our assistance.
- Access the Fund's Internet Home Page at: <a href="http://www.in.gov/trf/">http://www.in.gov/trf/</a>. Further, the Fund can receive electronic mail at: <a href="mailto:trf@state.in.us">trf@state.in.us</a>.

The following information is available on the Fund's Internet Home Page:

- Calculator for Retirement Benefits Form
- Calculate Your Retirement Benefits Interactive Web Page
- Investing Your Annuity Savings Account booklet
- Map to the Fund's Office
- Active Member's Handbook
- Lost Members List
- Inactive Members List
- Current and Past Editions of the Primer the Fund Newsletter